



United States Government

**OFFICE OF THE EXECUTIVE SECRETARY
NATIONAL LABOR RELATIONS BOARD
1015 HALF STREET SE
WASHINGTON, DC 20570**

March 30, 2016

Robert Berleth
Charging Party
P.O. Box 692293
Houston, Texas 77269

Re: Cy-Fair Volunteer Fire Department, 16-CA-107721

Dear Mr. Berleth:

It has come to the attention of this Office that when you filed your Brief in Support of Exceptions to the Administrative Law Judge's Decision ("Brief") in the above-referenced case, you attempted to incorporate by reference the General Counsel's Brief to the Administrative Law Judge ("GC's brief to the ALJ"). The Brief you filed is 20 pages long, and the GC's brief to the ALJ is 63 pages long. Section 102.46(j) of the Board's Rules and Regulations limits briefs to the Board to 50 pages. In this regard, the Board counts toward the 50-page limit any document not in evidence that is attached to the brief and contains argument. Briefs (such as the GC's brief to the ALJ), by their very nature, are considered argument. If the GC's brief to the ALJ is combined with the 20-page Brief that you filed, the overall brief would total 83 pages, which exceeds the 50-page limit for briefs. Therefore, your brief in this matter cannot incorporate the full GC's brief to the ALJ.

Should you desire to incorporate up to 30 pages of the GC's brief to the ALJ, which would therefore not exceed the 50 page limit for your brief in total, you may do so by submitting to the Board, with service on the parties, an attachment to your current brief that conforms to the overall 50-page limit.¹ **Any such refiled brief is due in Washington, D.C. by April 6, 2016. No extensions of time will be granted for the refiling of this brief. You are cautioned not to include any new argument in your 20-page Brief that was not previously included.**

Very truly yours,

Roxanne L. Rothschild
Deputy Executive Secretary

cc: Parties

¹ If you choose to refile your brief, you can either E-File the entire brief again with the new attachment, or you can E-File just the Attachment. To E-File the attachment, go through the E-Filing steps until you get to the point where you "Select the type of document you are E-Filing or to which you are responding." Select "Brief" and then select "Attachments." Please give your document a clear name before you file it, such as "Attachment to Charging Party Brief in Support of Exceptions."